



"The City With a Heart"

Larry Franzella, Mayor  
Jim Ruane, Vice Mayor  
Ken Ibarra, Councilmember  
Rico E. Medina, Councilmember  
Irene O'Connell, Councilmember

## MINUTES

### CITY COUNCIL MEETING

July 28, 2009  
7:00 p.m.

1. **CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met in regular session on July 28, 2009 at the San Bruno Senior Center, 1555 Crystal Springs Road. The meeting was called to order at 7:00 p.m.
2. **ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Vice Mayor Ruane and Councilmembers O'Connell, Ibarra and Medina in attendance, absent Mayor Franzella, with notice. Recording by Clerk Bonner. **City Clerk Bonner** led the Pledge of Allegiance.
3. **ANNOUNCEMENTS:**
  - a. **Vice Mayor Ruane** announced the regularly scheduled City Council meeting on August 11, 2009 is cancelled.
  - b. **Vice Mayor Ruane** said the Beautification Task Force invites residents to nominate properties for 2009 annual Beautification Awards, nomination forms are available at the City Clerk's Office or on the City's website. He asked Councilmember O'Connell to say a few words and she invited everyone to turn in their nomination forms for any houses or commercial properties, which have been improved.

**Vice Mayor Ruane** thanked **San Bruno Garden Club** for providing the beautiful floral arrangement.
4. **PRESENTATIONS:**

**Vice Mayor Ruane** presented a Proclamation for National Night Out in San Bruno, Tuesday, August 4, 2009 which was received by Robert Riechel of the Citizens Crime Prevention Committee thanked everyone for the proclamation and said on Tuesday, August 4 from 5:00 p.m. to 7:00 p.m. they will be holding a get together at the San Bruno Police Department. He said if the citizens could not make it to the open house, turn on your porch lights and get to know your neighbors.
5. **REVIEW OF AGENDA: Vice Mayor Ruane** announced there would be a closed session for potential litigation. **City Manager Jackson** said there are two findings which need to be made. One is this item arose after the agenda was posted; second, to verify the item requires immediate attention. She said this item is timely and since there is not another Council meeting until August 25, it needs to be acted on this evening. **M/S Ibarra/Medina** to have a special meeting and passed with all ayes. Mayor Franzella absent.
6. **APPROVAL OF MINUTES:** Regular Council Meeting of July 14, 2009, approved as submitted.
7. **CONSENT CALENDAR:**
  - a. **Approve:** Payroll of July 5, 2009.
  - b. **Approve:** Accounts Payable of July 13 and 20, 2009.
  - c. **Waive:** Second Reading and Adopt an Ordinance Amending Chapter 4.40 of Title 4 of the San Bruno Municipal Code Relating to Massage Regulations.

d. **Adopt:** Resolution Amending the City Classification Plan by Adopting Position Descriptions for Recreation Services Manager, Recreation Services Supervisor, and Executive Assistant Positions.

e. **Adopt:** Amended Resolution Confirming Salary and Benefits for Elected City Clerk and City Treasurer Positions.

**M/S Medina/Ibarra** to approve the Consent Calendar and passed with all ayes. Mayor Franzella absent.

**8. PUBLIC HEARINGS:** None.

**9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** None.

**10. CONDUCT OF BUSINESS:**

a. Adopt Resolution Authorizing the City Manager to Execute a Construction Contract with JJR Construction, Inc. for the Concrete Repair Project in the Amount of \$193,645 and Approving a Construction Budget in the Amount of \$242,100.

**Public Services Director Fabry** overviewed the construction contract and asked for questions.

**Councilmember Medina** said the 25% contingency seemed very high. **Fabry** said adding this contingency gives more flexibility. **Councilmember Medina** asked what the normal contingency is? **Fabry** said 15% is normal.

**Councilmember Ibarra** said he understood the bid process to be based on quantities. **Fabry** concurred.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote. Mayor Franzella absent.

b. Adopt Resolution Approving a Citywide Records Retention Schedule Authorizing Destruction of Certain City Records and Rescinding all Previous Records Retention Resolutions.

**City Attorney Thompson** gave an explanation of a record retention program policy. She said the existing record retention policy was done in 1991; however, it is not clearly defined. This new policy will improve the efficiency of our organization. By approval of the City Council, adopting this new policy would rescind the old policy and allow documents to be retained and destroyed and also provides authority to the City Manager in consultation with the department heads and City Clerk to make adjustments to the retention period.

**Councilmember Medina** said there would be various methods in which the information is stored, one being document imaging. He asked if anyone will be doing spot checks to be sure the imagery is legible and clear/checks and balances? **City Attorney Thompson** said that should be an operational requirement. **Councilmember Medina** suggested a spot check for clarity. **City Attorney Thompson** said it wasn't always a good idea to convert something to a different format because of those issues and changes in technology, sometimes it is better to just keep the paper until the end of the retention period.

**Councilmember Medina** referenced State statutes. **City Attorney Thompson** said the Records Retention Policy follows State statutes and in some cases our retention is even longer.

**Councilmember Ibarra** said he was in favor of organizing and saving significant amount of money, he said he understood there were departments who had things stored throughout various parts of the City. He asked if this would make a significant impact? **City Attorney Thompson** said there will be a "free the files day."

**Councilmember Medina** said because of the gray areas he recommended under the Resolution, Section 3 updates to the retention periods that fall outside the State statute should come back to the City Council.

**Councilmember O’Connell** asked for clarification that this resolution reflects what the State demands? **City Attorney Thompson** said there is no harm in it coming back to the City Council.

**Councilmember Medina** introduced the resolution for adoption with the modification to Section 3 of the Resolution and passed with a unanimous vote. Mayor Franzella absent.

c. Adopt Resolution Authorizing City Manager to Execute First Addendum to Agreement Between the County of San Mateo and the City of San Bruno to Toll Statutes of Limitations for Claims Regarding Property Tax Administration Fees.

**City Attorney Thompson** gave an overview of the staff report and asked for questions.

**Councilmember O’Connell** introduced the resolution for adoption and passed with a unanimous vote. Mayor Franzella absent.

d. Adopt Resolution Amending the 2009-10 Capital Improvement Program Budget and Authorizing the City Manager to Execute Purchase Orders for the Commercial Data and Voice Services Project in the Amount of \$1,609,267.

**Cable Director Gyaltsen** gave an overview of the staff report, recommended approval and asked for questions.

**Councilmember Ibarra** agreed this needed to be done and felt it was a good investment.

**Councilmember Medina** said he was worried about unexpected problems as well as impeding customer service. He saw the benefits to this asset maintaining its value and if it is put on the market that it has the potential for retaining and gaining back for the citizens of this community to make this investment in future technology to keep up with the competition to insure satisfaction for everyone.

**Councilmember O’Connell** and **Vice Mayor Ruane** agreed.

**Councilmember O’Connell** introduced the resolution for adoption and passed with a unanimous vote. Mayor Franzella absent.

e. Adopt Resolution Approving Participation in a Countywide Neighborhood Stabilization Program to Acquire and Rehabilitate Vacant Foreclosed Properties for Resale to Qualified Homebuyers and Allocating \$280,000 in Matching Funds from the BMR In-Lieu Fee Fund.

**Housing and Redevelopment Manager Sullivan** gave an overview of the staff report and asked for questions.

**Councilmember O’Connell** asked if there was a reason we are only doing \$280,000? **Sullivan** said there are about five participating jurisdictions. He said the \$280,000 represents the gap in order for the County to get the maximum amount in NSP funds. By putting in additional monies, there is no benefit to the City.

**Councilmember Ibarra** confirmed \$280,000 with a match from the County for approximately five properties. **Sullivan** concurred.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote. Mayor Franzella absent.

f. Adopt Resolution Approving Side Letter Agreement Between the City of San Bruno and the Public Safety Mid Management Bargaining Unit, Extending their Existing Memorandum of Understanding, and Authorizing their Execution by the City Manager.

**Human Resources Director Yuki** gave an overview of a tentative agreement with the Public Safety Mid Management Group and asked for questions.

**Councilmember Medina** introduced the resolution for adoption and passed with a unanimous vote. Mayor Franzella absent.

**11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:**

**12. COMMENTS FROM COUNCIL MEMBERS:**

**City Manager Jackson** and **Administrative Services Director O’Leary** gave an overview of the State’s efforts to the balance the budget.

**Councilmember Medina** said this afternoon he connected to a conference call with the State and they predicted there might be a turn around in the fourth quarter; however, they reminded everyone the budget was still in dire straights. They said as they enter 2010-2011 as the State level, they would begin with an 8 to 9 billion-dollar deficit.

**Vice Mayor Ruane** said there were serious repercussions with the State and he understood when money was borrowed it came from entities who could lend and the Cities don’t have it.

**13. CLOSED SESSION:** **Vice Mayor Ruane** said, as previously announced, the City Council will go into closed session with no reportable action.

**14. ADJOURNMENT:**

**Vice Mayor Ruane** said recently we lost one of the members of our city family, Dennis Celli, a cable technician with the San Bruno Cable Department who passed away on July 14. Dennis served the City of San Bruno as a valuable member of the Cable Department’s team for fourteen years. He embraced new technology and assumed his duties with enthusiasm and dedication. He made significant contributions in the development of the cable head-end, which is the heart of the cable operation and was the go-to person for all the cable head-end issues. He demonstrated care and concern for his fellow employees and the customers he served. Dennis always carried a big smile, a smile as big as himself and was well liked by those who knew him. His loss leaves a big hole in our cable operation, in fact our City family, but mostly in our hearts, he will be sorely missed. I ask you to say a special prayer for Dennis tonight and his young family and I would like a moment of silence in his memory please.

**Vice Mayor Ruane** closed the meeting at 8:27 p.m. The next regular City Council Meeting will be held on August 25, 2009 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval  
At the regular City Council Meeting of  
August 25, 2009

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Carol Bonner, City Clerk

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Jim Ruane, Vice Mayor